

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

LISA D. BROCK

Plaintiff,

v.

THE KROGER CO.,

Defendant.

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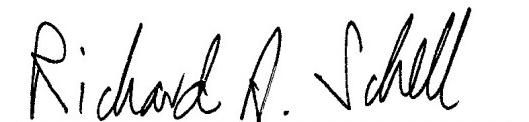
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Case No. 4:11-cv-639

**ORDER ON JOINT MOTION FOR APPROVAL OF SETTLEMENT AND
STIPULATION OF DISMISSAL**

Pending before the court is the parties' Joint Motion for Approval of Settlement and Stipulation of Dismissal (Dkt. 40). On October 5, 2011, Plaintiff, Lisa D. Brock, filed this action under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* and the Family Medical Leave Act, 29 U.S.C. § 2601, *et seq.* The parties notified the court that all claims between them had been settled on or about January 4, 2013. On January 15, 2013, the parties filed the instant motion requesting the court to approve the parties' settlement agreement.

Settlement of private actions under the FLSA must be approved by the district court. 29 U.S.C. § 216(b); *Lynn's Food Stores, Inc. v. U.S.*, 679 F.2d 1350, 1355 (11th Cir. 1982). Counsel for both parties have represented that the terms of the settlement are "fair, reasonable, and adequate . . . based on a thorough evaluation of the evidence and the underlying case law." Joint Mot. 1. The court has reviewed the settlement agreement under seal and concludes that the agreement reflects a reasonable compromise of a bona fide dispute under the FLSA. *See Lynn's Food Stores, Inc.*, 679 F.2d at 1354. The parties' Joint Motion for Approval of Settlement and Stipulation of Dismissal is **GRANTED**, and Plaintiff's claims are **DISMISSED WITH PREJUDICE**. SIGNED this the 27th day of February, 2013.


RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE